

WELCOME VISITING KIWANIAN

GRAFTON & CO.

"Joe" Hickey, Kiwanian

NOTICE!

You can buy your Fall Supply of Ladies', Children's and
Infants' Wear at Wholesale Prices.

*Hosiery, Sweaters,
Notions, Etc.
Underwear, Handkerchiefs
Bonnetts, Etc.*

— AT —

D. McCRIMMON & SONS, Ltd.

80 DUNDAS ST. WEST OF PERRIN'S.

"MARK EVERY GRAVE"

MONUMENTS

We specialize in the Finest Scotch Granites
We Invite You to Visit our Showrooms and Plant.

London Marble & Granite Co.

493 Richmond Street

LONDON

Phone Metcalf 3569-W

ONTARIO

"Wonderful Ethiopians of the Ancient Cushite Empire"

A BOOK YOU SHOULD HAVE

The Marvellous Deeds of our Ancestors

This book, the most thrilling story of the ages, is the result of ten years' intensive research work in the great libraries of America. The facts drawn only from authentic sources. This book now selling in Foreign Lands.

By **DRUSILLA DUNJEE HOUSTON**

Educator, Author and Lecturer

Linen Binding, \$2.50

275 pp.

Full Leather, \$5.00

Universal Press

Box 332, Oklahoma City, Okla.

The Fugitive Slave in Canada

(By Fred Landon)

(Continued from last issue).

Jesse Happy, a runaway from Kentucky, having been discovered in Canada, his return was demanded by the governor of that state, the charge against him being that of horse-stealing. Before deciding the application, Sir Francis referred the matter to his home Government in a memorandum that left no doubt regarding his own views. He points out first of all that a slave can hardly expect emancipation from trial for crimes for which even British-born subjects would be held responsible. Proceeding he says:

On the other hand, it may be argued that a slave escaping from bondage on his master's horse is a vicious struggle between two guilty parties, of which the slave owner is not only the aggressor, but the blackest criminal of the two. It is the case of the dealer in human flesh versus the stealer of horse flesh; and it may be argued that if the British Government does not feel itself authorized to pass judgment on the plaintiff neither should it on the defendant. The clothes and even the manacles of a slave are undeniably the property of his master and it may be argued that it is as much a theft in the slave walking from slavery to liberty in his master's shoes as riding on his master's horse; and yet surely a slave breaking out of his master's house is not guilty of the same burglary which a thief would commit who should force the same locks and bolts in order to break in.

Sir Francis urged as a further objection to the rendition of fugitive slaves that even if a slave were acquitted of crime in a state court he would be seized at once by his former master and put back into slavery. His conclusion was that the slaves have no right under the pretext of any human treaty, to claim from the British Government which does not recognize slavery, being who by slave law are not recognized as men, and who actually exist as brute beasts in moral darkness until on reaching British soil, they suddenly heard, for the first time in their lives, the sacred words, "Let there be light, and there was light." From that moment, it is argued, they were created men, and if this be true, it is said they cannot be held responsible for conduct prior to their existence.

The question was again brought to the attention of the British Colonial Office in 1840 by a communication from the colored people in Canada through their secretary, Mr. E. de St. Remi. A decision had been given by the British Government in 1839 respecting the surrender of fugitives and criminals escaping from the Danish Indies into the British possessions nearby. The despatch relative to this contained the declaration that "where the criminals whether slaves or freemen shall be satisfactorily proved to the British colonial authorities to have been guilty of murder or any other heinous crime which the laws of all nations visit with extreme punishment the safety of society demands that such a criminal should be brought to justice and it would become the duty of governors of colonies

to afford every assistance for his apprehension and restitution to take his trial in the foreign colony in which his crime may have been committed."

On the face this looked like a fair ruling, but the black men detected a flaw. What if the "heinous" charge were merely trumped up for the occasion perjury used to back it up and the British colonial court so persuaded to deliver up the fugitive. The fugitive knew something of what the slave interests would do to get back their property. To illustrate their contention an actual case was cited which had recently been reported from the island of St. Lucia. It was openly charged there that fabricated evidence had been used in an effort to recover three slaves absconding from Martinique. The Canadian communication points out that even if declared innocent of the crimes charged, after trial in the Martinique courts these men will at once be thrown back into slavery. It then goes on to emphasize the importance of such a decision to the refugee in Canada.

The colored population of Upper Canada distinctly disavow the desire of being screened from the punishment due to any offence cognizable by the regular tribunals of the country, and which would give them the benefit of trial, although they might reasonably dread a surrender even in such a case, from the consciousness that if acquitted they would again be involved in cruel irremedial slavery; but they pray to be sheltered from the fabrications of masters who charge them with crimes of which they are themselves accusers judges, juries and punishers.

In support of this position the following pertinent facts were pointed out by the Canadian Negroes;

First, that neither law nor practice allowed trial to the slave in any of the American slave states, except in a very few extreme cases.

Second, that in the few cases where trial was granted, law forbade taking the testimony of either slaves or free colored persons against whites.

Third, that in several free states the testimony of a free colored man was not admitted against that of a white.

Fourth, that generally free colored men, when condemned to a term of years imprisonment, fell back into perpetual slavery.

The conclusion of the Canadian memorandum reads:

The petition of the colored man prays a thorough searching investigation and examination of witnesses and rigid enquiry into facts; a sifting of evidence previous to a surrender of them as accused felons, although if granted it would by no means insure a bona fide trial to the colored criminal after surrender. For I do not disguise my fear, that in most cases his punishment would not be death, but worse—slavery.

Under the extradition clause of the Webster-Ashburton Treaty of 1842 there was one famous effort made to recover a fugitive slave. This was the case of the Missouri Negro, William Anderson, who was arrested in Canada in 1860 charged with the murder of his former master, Seneca Diggs, whom he had stabbed in an attempt to secure his freedom. This case created serious difficulties not only between Canada and the United States but also between Canada and Great Britain, though in the end Anderson was freed on a technicality. It

(Continued on Page 5)